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August 10, 2004

BY EMAIL AND AIR BORNE EXPRESS

Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: Rule Certification. NYMEX Submission 04-101: Notification of Amendments to Supplement No. 1, "Official List of Approved Refiners and Brands" of the Gold Futures Contract and Silver Futures Contract.

Dear CFTC Commissioners:

The New York Mercantile Exchange, Inc. ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of amendments to Supplement No. 1, "Official List of Approved Refiners and Brands" of the Gold and Silver Futures Contracts to be implemented effective Friday, August 13, 2004. The amendments change the production status of the gold brands and silver brands hallmarked "ENGELHARD" (with respect to gold only, the hallmark may also be "ENGELHARD NEW JERSEY-USA" or "ENGELHARD U.S.A.") and "ENGELHARD LONDON" and the silver brand hallmarked "ENGELHARD (with Compagnie Des Metaux Precieux-Paris within an oval)" produced by the Engelhard Corporation to no longer produced. These brands will be marked with an asterisk (*) on Supplement No. 1, Official List of Approved Refiners and Brands" of the Gold and Silver Futures Contracts indicating that they are no longer produced. These brands may not be delisted since there are gold bars and silver bars bearing these hallmarks in Exchange Licensed Depositories.

In addition, the amendments that were recently approved by the NYMEX Board delist the gold brands hallmarked "ENGELHARD (with "w" prefixed serial number)" and "ENGELHARD (with Compagnie Des Metaux Precieux-Paris within an oval)" produced by Engelhard Corporation. These brands are no longer produced and there are no gold bars bearing these hallmarks in Exchange Licensed Depositories.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendment complies with the Act, including regulations under the Act. The approved amendments will go into effect on Friday, August 13, 2004.

Should you have any questions concerning the above, please contact Albert J. Getz at (212) 299-2608.

Very truly yours,

Brian Regan
Vice President and Counsel

Attachment: Approved Amendments to Supplement No. 1, "Official List of Approved Refiners and Brands" of the Gold Futures Contract and Silver Futures Contract.

Underlining indicates additions. Strike through indicates deletions.

COMMODITY EXCHANGE, INC.
OFFICIAL LIST OF APPROVED REFINERS AND BRANDS
(Deliverable Against Commodity Exchange, Inc. Gold Contracts)

| <u>PRODUCER</u> | <u>REFINED AT</u> | <u>COMPUTER CODE</u> | <u>BRAND MARKS</u> |
|--|------------------------|--------------------------|--|
| AGR Joint Venture | Perth, Australia | PMAU | THE PERTH MINT AUSTRALIA (with swan motif mint mark within circle) |
| Argor, S.A. | Chiasso, Switzerland | ARGO | * ARGOR S.A. CHIASSO-ASA |
| Argor - Heraeus SA | Mendrisio, Switzerland | ARHE | ARGOR-HERAEUS SA, A-H, SWITZERLAND |
| ASARCO Incorporated | Amarillo, Texas | ASAT | ASARCO GOLD- AMARILLO, TEXAS |
| Casa da Moeda do Brasil | Rio de Janeiro, Brazil | CASA | CASA DA MOEDA DO BRASIL-CMB |
| Compagnie des Metaux Precieux | Ivry, France | CMPP | * COMPAGNIE DES METAUX PRECIEUX PARIS (may also contain letters CMP) |
| | Ivry, France | SDBS | * SOCIETE DE BANQUE SUISSE |
| Companhia Real de Metais | Sao Paulo, Brazil | CRDM | CRM |
| Comptoir Lyon-Alemand Louyot | Noisy le Sec, France | CLAL | COMPTOIR-LYON-ALEMAND, LOUYOT-PARIS (with Affineur Fondeur within octagon) |
| OMG AG & Co. KG | Hanau, Germany | DEGU | * DEGUSSA FEINGOLD (with 1/2 sun and 1/4 moon within diamond) |
| OMG AG & Co. KG | Burmington, Ontario | DECA | * DEGUSSA CANADA LTD. (with 1/2 sun and 1/4 moon within diamond) |
| OMG Brasil Ltda. | Guarulhos, Brazil | DEBR | DEGUSSA S.A. (with 1/2 sun and 1/4 moon within diamond) |
| H.Drijfhout & Zoon's Edelmetaalbedrijven BV | Amsterdam, Netherlands | HDZA | H. DRIJFHOUT & ZOON- AMSTERDAM-MELTERS (within octagon) |
| Engelhard Corporation | Carteret, N.J. | ENNE | * ENGELHARD (may also be * ENGELHARD NEW JERSEY-U.S.A. or ENGELHARD U.S.A.) |
| | Carteret, N.J. | BAKE | * BAKER (within circle atop triangle) |
| | Chessington, England | ENCI | * ENGELHARD LONDON |
| | Thomastown, Australia | ENTH | * ENGELHARD AUSTRALIA |
| | Aurora, Ontario | ENAU | * ENGELHARD (with circle connected to 1/2 moon to left of name; may also be ENGELHARD INDUSTRIES OF CANADA LTD. |

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|--|----------------------------|--------------------------|--|
| Engelhard Corporation | Anaheim, California | ECAL | ENGELHARD (with "w" prefixed serial number) |
| | Ivry, France | ECMP | ENGELHARD (with Compagnie Des Metaux Precieux Paris within an oval) |
| Golden West Refining Corporation Limited, Handy & Harman Refining Group Inc. | Attleboro, Mass | GWHH | * HH HANDY & HARMAN REFINING GROUP |
| Handy & Harman | Attleboro, Mass | HAND | *HH HANDY & HARMAN |
| W.C. Heraeus, G.m.b.H. | Hanau, Germany | HERA | HERAEUS FEINGOLD (with Heraeus Edelmetalle GmbH-Hanau encircling three roses) |
| Heraeus Incorporated | Newark, N.J. | HERI | HERAEUS FEINGOLD (with capital letter "E" preceding serial number) |
| Heraeus Ltd. | Kowloon, Hong Kong | HERH | HERAEUS FEINGOLD (with capital letter "H" preceding serial number) |
| Homestake Mining Company | Lead, South Dakota | HMCO | * HOMESTAKE MINING COMPANY (with HMC all within circle) |
| Johnson Matthey, Inc. | Winslow, New Jersey | MBUS | * MATTHEY BISHOP U.S.A. (within an oval) |
| Johnson Matthey Limited | Brampton, Ontario | JMMC | * JOHNSON MATTHEY & MALLORY-CANADA (within an oval) |
| | Brampton, Ontario | JMCA | * JM (with crossed hammers) |
| | Brampton, Ontario | JMJM | JOHNSON MATTHEY-JM (with crossed hammers and assay stamp: J.M. LTD.-CANADA-ASSAY OFFICE) |
| Johnson Matthey Limited (Australia) | Kogarah, Australia | MGPS | * MATTHEY GARRETT PTY. SYDNEY REFINERS (within an oval) |
| | Kogarah, Australia | JMLA | * JOHNSON MATTHEY LIMITED AUSTRALIA |
| Johnson Matthey Chemicals Ltd. | Royston, England | JMLO | JOHNSON MATTHEY LONDON (within an oval) |
| Johnson Matthey & Pauwels S.A. | Brussels, Belgium | JMPA | * JOHNSON MATTHEY & PAUWELS (within an oval) |

* No longer produced.

Updated 11/24/03

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|--|------------------------|--------------------------|---|
| Johnson Matthey Refining, Inc. | Salt Lake City, Utah | JMRI | JOHNSON MATTHEY-JM (with crossed hammers and assay stamp: J.M.R.I. U.S.A.-ASSAY OFFICE) |
| Kennecott Utah Copper Corporation | Magna, Utah | KUAU | KUC |
| Metallurgie Hoboken Overpelt S.A. | Hoboken, Belgium | MHOV | * METALLURGIE HOBOKEN OVERPELT |
| n.v. Union Miniere s.a. - Business Unit Hoboken | Hoboken, Belgium | HOBO | Hoboken 9999 |
| Metalli Preziosi S.p.A. | Milan, Italy | MPSP | METALLI PREZIOSI S.p.A. MILANO- AFFINAZIONE (with MP within a circle) |
| Metalor Technologies USA Corp. | Attleborough, Mass. | MUST | METALOR® (with the "MUS" assay mark) |
| | Attleborough, Mass. | META | * METAUX PRECIEUX SA METALOR - MP (with "MUS" Assay mark) |
| Metaux Precieux S.A. Metalor | Neuchatel, Switzerland | MPSA | METAUX PRECIEUX SA - NEUCHATEL (with MP within a circle) |
| | Neuchatel, Switzerland | SBCO | SWISS BANK COPORATION |
| Mitsubishi Metal Corporation | Osaka, Japan | MMCO | * MITSUBISHI METAL CORPORATION (with three diamond mark within oval) |
| Mitsubishi Materials Corporation | Kagawa, Japan | MITS | Three diamonds forming a triangle |
| Noranda Mines Limited, CCR Division | Montreal East, Quebec | CCRL | * CANADIAN COPPER REFINERS LIMITED MONTREAL EAST, CANADA (within an oval) |
| Noranda Mines Limited, CCR Division | Montreal East, Quebec | NORA | * NORANDA MINES LIMITED - CCR, MONTREAL EAST, CANADA (within an oval) |
| Noranda Metallurgy Inc. - Copper | Montreal East, Quebec | NINC | NORANDA MINES Inc. - CCR, MONTREAL EAST, CANADA (within an oval) |
| Norddeutsche Affinerie AG | Hamburg, W. Germany | NAHA | NORDDEUTSCHE AFFINERIE HAMBURG |

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|---|----------------------------------|--------------------------|--|
| PAMP, S.A. Produits Artistiques Metaux Precieux | Castel S. Pietro, Switzerland | PAMP | PAMP-SUISSE |
| Rand Refinery Limited | Germiston Transvaal | RRSA | RAND REFINERY Ltd. SOUTH AFRICA (encircling picture of springbok) |
| Royal Canadian Mint | Ottawa, Canada | RCMI | ROYAL CANADIAN MINT (encircling a crown) |
| Sabin Metal Corporation | Scottsville, N.Y. | SABN | SMC |
| Schone Edelmetaal NV | Amsterdam, Netherlands | GSNV | GUARANTEED BY SCHONE N.V. AMSTERDAM |
| Sheffield Smelting Co. Ltd. | Sheffield, England | SSCL | * THE SHEFFIELD SMELTING CO. LTD. - LONDON & SHEFFIELD |
| Tanaka Kikinzoku Kogyo K.K. | Ichikawa, Japan | TTME | TANAKA TOKYO-MELTERS |
| United States Metals Refining Co., division of Amax Copper, Inc. | Carteret, N.J. | DRW | * DRW |
| U.S.S.R | Moscow, U.S.S.R | CCCP | CCCP (with hammer and sickle) |
| Valcambi, S.A. | Balerna, Switzerland | CRSU | CREDIT SUISSE |

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| <u>PRODUCER</u> | <u>REFINED AT</u> | <u>COMPUTER CODE</u> | <u>BRAND MARKS</u> |
|--|-------------------------|--------------------------|---|
| The Anaconda Company | Perth Amboy, N.J. | UMCO | * UMS CO. |
| ASARCO Incorporated | Amarillo, Texas | ASAT | ASARCO SILVER- AMARILLO, TEXAS |
| | Baltimore, MD | ASBA | * ASARCO BALTIMORE, MARYLAND |
| | Perth Amboy, N.J. | ASCP | * AS & R CO.-PERTH AMBOY, N.J. |
| | Perth Amboy, N.J. | ASPA | * ASARCO-PERTH AMBOY, NEW JERSEY |
| | Selby, CA | SGSR | * SELBY GOLD & SILVER REFINERY, SAN FRANCISCO, CAL. |
| Britannia Refined Metals Co. | Northfleet, England | BLCO | BLCo. |
| Broken Hill Associated Smelters Pty. Ltd. | Port Pirie, Australia | BHAS | BHAS |
| The Bunker Hill Company | Kellogg, Idaho | HILL | * BUNKER HILL |
| Cerro de Pasco Corporation | La Oroya, Peru | CDPP | * C de P PERU |
| Cominco Ltd. | Trail, British Columbia | TADA | TADANAC |
| Compania de Real Monte y Pachuca | Pachuca, Mexico | RDMM | R del M |
| Comptoir Lyon-Alemand Louyot | Noisy le Sec, France | CLAP | * COMPTOIR-LYON-ALEMAND, LOUYOT & CIE-PARIS |
| | | CLAL | COMPTOIR-LYON-ALEMAND, LOUYOT-PARIS |
| OMG AG & Co. KG | Hanau, Germany | DEGU | * DEGUSSA (with 1/2 sun and 1/4 moon within diamond) |
| OMG AG & Co. KG. | South Plainfield, N.J. | METZ | * DEGUSSA (with 1/2 sun and 1/4 moon within diamond, also Metz est. 1921) |
| Dowa Mining Co. Ltd. | Kosaka City, Japan | DOWA | DOWA (with crossed hammers within circle) |
| Empresa Minera del Peru S.A. | La Oroya, Peru | CPPE | CP-PERU |
| Engelhard Corporation | Chessington, England | ENCI | * ENGELHARD LONDON |
| | Carteret, N.J. | ENNE | * ENGELHARD |

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|--|--|--------------------------|--|
| Engelhard Corporation | Ivry, France | ECMP | * ENGELHARD (with Compagnie Des Metaux Precieux-Paris within an oval) |
| Furukawa Metals Co. Ltd. | Nikko City, Japan | TRIA | OPEN TRIANGLE (like letter A, brand name "Yamaichi") |
| Golden West Refining Corporation Limited, Handy & Harman Refining Group Inc. | Attleboro, Mass | GWHH | * HH HANDY & HARMAN REFINING GROUP |
| Handy & Harman | Attleboro, Mass Fairfield, Conn. | HAND HARM | *HH HANDY & HARMAN SILVER *HH HANDY & HARMAN SILVER (with capital letter F bars produced at Fairfield, Conn.) |
| INCO Limited | Sudbury, Ontario | ORCO | ORC |
| Industrial Minera Mexico, S.A. | Monterrey, Mexico Monterrey, Mexico | ASMO IMMM | * ASARCO-MONTERREY IMM-MONTERREY |
| Johnson Matthey Limited | Brampton, Ontario | JMLT | JM and crossed hammers in diamond Surrounded by JOHNSON MATTHEY CANADA |
| | Brampton, Ontario | JMJM | * JOHNSON MATTHEY-JM (with crossed hammers and assay stamp: JM LTD.-CANADA-ASSAY OFFICE) |
| | Brampton, Ontario Brampton, Ontario | JMCA JMMC | * JM (with crossed hammers) * J.M. & M. Ltd. |
| Johnson Matthey Chemicals Ltd. | Royston, England Royston, England | JMLO JMCF | JOHNSON MATTHEY LONDON * JMCF |
| Johnson Matthey Refining, Inc. | Salt Lake City, Utah | JMRI | JOHNSON MATTHEY-JM (with crossed hammers and assay stamp: J.M.R.I.-U.S.A.-ASSAY OFFICE) |
| Kam-Kotia Mines Ltd. | Cobalt, Ontario | CRKO | * CRK |
| Kennecott Corporation | Magma, Utah | KUEU | KUE |
| Metalli Preziosi S.p.A. | Milan, Italy | MPSP | METALLI PREZIOSI S.p.A. MILANO (with MP) |
| n.v. Union Miniere s.a. - Business Unit Hoboken | Hoboken, Belgium Hoboken, Belgium | MHOV HOBN | * HOBOKEN 999.7+ HOBOKEN 999+ |

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|---|-----------------------------------|--------------------------|--|
| Metalor Technologies USA Corp. | N. Attleborough, Mass | MUST | METALOR® (with "MUS" assay mark) |
| | N. Attleborough, Mass. | META | * METAUX PRECIEUX SA METALOR (in a circle with letters MUS in center) |
| Metalor Precieux SA Metalor | Neuchatel, Switzerland | MPOR | METAUX PRECIEUX SA METALOR (in a circle with letters MP in center) |
| Met-Mex Penoles, SA de CV | Monterrey, Mexico | MPSA | * METALURGICA MEXICANA PENOLAS S.A. PRODUCT OF PENOLAS MEXICO |
| | Torreon, Mexico | POPM | |
| Mitsubishi Materials Corporation | Kagawa, Japan | DIAM | Three diamonds forming a triangle |
| No. 1 Mining Corporation | Namtu, Burma | BRMA | BURMA MINES |
| Noranda Metallurgy Inc. - Copper | Montreal East, Quebec | CCRL | CCR CANADA |
| Norddeutsche Affinerie A.G. | Hamburg, W. Germany | NAHA | NORDDEUTSCHE AFFINERIE HAMBURG |
| PAMP S.A. | Castel San Pietro, Switzerland | PAMP | PAMP |
| PGP Industries, Inc. | Duncan, South Carolina | PGPI | PGP |
| Rand Refinery Limited | Germiston, Transvaal | RRSA | RAND REFINERY LTD. (with RR Ltd. on underside) |
| Rudarsko Metalursko Hemijski Kombinat, Trepca | Zvecan, Yugoslavia | TREP | TREPCA |
| Sabin Metal Corporation | Scottsville, N.Y. | SABN | SMC |
| Sheffield Smelting Co. Ltd. | Sheffield, England | SSCL | * THE SHEFFIELD SMELTING CO. LTD. |
| United States Assay Office | Denver, Colorado | USDE | * SEAL OF UNITED STATES (with year and location of production) |
| | New York, New York | USNY | |
| | Philadelphia, Pa. | USPH | |
| | San Francisco, Cal. | USSF | |
| United States Metals Refining Co., division of Amax Copper, Inc. | Carteret, N.J. | DRW | * DRW |
| U.S. Smelting, Refining & Mining | East Chicago, Ill. | USSC | * USSCO |
| Zaklady Metalurgiczne Trzebinia | Trzebinia, Poland | ZTMP | ZTM |

* No Longer Produced

* No longer produced.

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